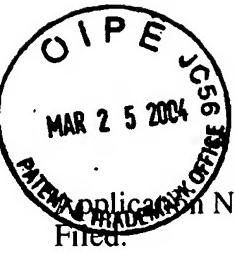


In the United States Patent and Trademark Office



Application No.:

Filed:

Title:

Applicant(s):

Examiner:

Art Unit:

10/693,652

10/23/2003

Apparatus and Method for an Electronically Tuned, Wavelength-Dependent Optical Detector

Ray Chen

not yet assigned

2872

Mailed

Palo Alto, CA

Information Disclosure Statement

Commissioner of Patents and Trademarks
Washington, District of Columbia 20231

Dear Sir or Madam:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon.
It is requested that the document(s) on the enclosed form be made of record.

Part I (Authority)

This statement is filed pursuant to:

 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or (3) before the mailing date of a first office action on the merits, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$240), or a certification according to 37 C.F.R. § 1.97(e).

 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c).

Accordingly, this information disclosure statement requires the petition fee specified in 37 C.F.R. § 1.17(i)(1) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$130), a certification according to 37 C.F.R. § 1.97(e), and a petition requesting consideration of the information disclosure statement.

Conditional Petition

It is respectfully requested that this information disclosure statement be considered, good cause being presented in Part III herein (certification). please treat this paper as the required petition.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record.

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

Part II (Payment)

A check is enclosed as indicated:

- No fee is due.
- The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$240).
- The petition fee specified in 37 C.F.R. § 1.17(i)(1) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) is enclosed (\$130).

Part III (Certification)

Pursuant to 37 C.F.R. § 1.97(e), I certify:

- No certification is necessary.
- (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
- (2) The “communication from a foreign patent office” referred to in the certification is an International Search Report, possibly issued by the U.S. Patent and Trademark Office in its capacity as an International Search Authority or International Preliminary Examining Authority.
- (3) The “counterpart foreign application” referred to in the certification corresponds to an ancestor or descendent application of the application for which this information disclosure statement is filed.
- (4) (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

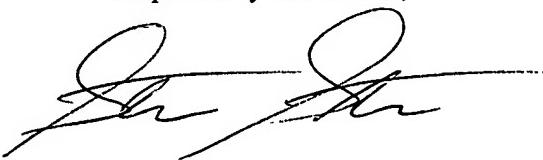
Part IV (Additional Statement)

An additional statement regarding these items of information () is, (X) is not, enclosed.

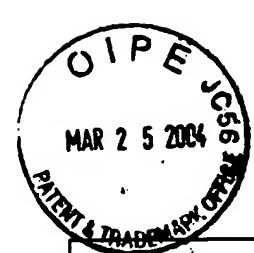
Copies of the cited art (X) are enclosed, () are of record in parent application Serial No. _____ and will be provided if the Examiner deems it convenient.

Dated: 3/20/04

Respectfully submitted,



Dr. Steven Stupp
Reg. No. 54,475
2345 Yale Street, 2nd Floor
Palo Alto, CA 94306
tel: (650) 424-0100
fax: (650) 424-0141



FORM PTO-1449U.S. DEPARTMENT OF COMMERCE

ATTY. DOCKET NO.
S02-242/US

SERIAL NO.

LIST OF PRIOR ART CITED BY APPLICANT
 (Use several sheets if necessary)
APPLICANT
Ray ChenFILING DATE
10/23/2003GROUP
Not yet assigned**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	RELEVANT INFORMATION
	A	5	5	3	9	5	5	9	7/23/1996	Cisnero et al.
	B	5	5	4	6	2	0	9	8/13/1996	Wilner et al.
	C	5	7	9	3	9	1	2	8/11/1998	Boord et al.
	D	5	9	1	0	8	5	1	6/8/1999	Flaherty
	E	6	3	0	7	6	6	0	10/23/2001	Cordell et al.
.	F	6	3	2	4	3	2	2	11/27/2001	Luo et al.
	G	6	5	5	6	3	2	1	4/29/2003	Milton et al.
	H	6	5	8	3	9	0	0	6/24/2003	Onaka et al.
	I	6	5	9	4	4	1	0	7/15/2003	Kersey et al.
	J	6	5	9	7	8	4	1	7/22/2003	Dingel
	K	6	6	2	1	6	3	2	9/16/2003	Zhou

FOREIGN PATENT DOCUMENTS

		2-letter code	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
						YES	NO
	L						
	M						

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

N		D.A.B. Miller, "Laser Tuners and Wavelength-Sensitive Detectors Based on Absorbers in Standing Waves", IEEE Journal of Quantum Electronics, vol. 30, pp. 732-749 (1994)
		J.B.D. Soole, :InGaAs Metal-Semiconductor-Metal Photodetectors for Long Wavelength Optical Communications", IEEE Journal of Quantum Electronics, vol. 27, pp. 737-752 (1991)
O		US Patent Application Serial No. 09/930,722 filed in 2001

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.